

REFERENCE TITLE: schools; physical education; pilot program

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
Second Regular Session  
2006

## **HB 2778**

Introduced by  
Representatives Anderson, Aguirre A, Barnes, Chase, Hershberger, Jones,  
Kirkpatrick, O'Halleran: Groe, Lujan, Mason, McClure, McComish, McCune  
Davis, Reagan, Stump, Weiers JP, Yarbrough, Senator Gray

AN ACT

ESTABLISHING A PILOT PROGRAM FOR PHYSICAL EDUCATION; MAKING AN APPROPRIATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2       Section 1. Physical education pilot program: requirements

3       A. The department of education shall establish a two-year physical  
4 education pilot program consisting of at least ten schools, at least one of  
5 which shall be a school with a student count of at least six hundred pupils,  
6 at least one of which shall be a school where at least \_\_\_ per cent of the  
7 pupils meet the economic eligibility requirements established under the  
8 national school lunch and child nutrition acts (42 United States Code  
9 sections 1751 through 1785) for free or reduced price lunches and at least  
10 three of which shall be schools located in counties with a population of less  
11 than eight hundred thousand persons. The department of education shall  
12 establish application procedures and additional selection criteria for  
13 schools that wish to apply for participation in the program. The department  
14 of education shall award grants from monies appropriated for this purpose to  
15 schools that are selected to participate in the pilot program. Schools that  
16 are selected to participate in the pilot program shall include the following  
17 components:

18       1. Physical activity such as bodily movement of any type, including  
19 activity breaks in between subject matter breaks or after sixty minutes of  
20 instruction and motivation of pupils during lunch and recess periods and  
21 throughout the school day.

22       2. Additional physical activities such as physical activities that  
23 include healthy schools and wellness programs and that are integrated into  
24 existing curricula.

25       3. A physical education program that contains the following  
26 components:

27           (a) A structure for each physical education class that follows the  
28 centers for disease control guidelines that recommend moderate to vigorous  
29 physical activity for fifty per cent of classroom time.

30           (b) Adherence to state and national physical education standards.

31           (c) An opportunity to learn.

32           (d) Meaningful content.

33           (e) Appropriate instruction.

34           (f) A physical education teacher that is willing to implement and  
35 monitor the progress of the program.

36           (g) A pupil to teacher ratio for schools that provide instruction in  
37 grades one through eight of five hundred pupils to one physical activity  
38 education teacher.

39           (h) An opportunity to increase pupil knowledge and motor and social  
40 skills.

41           (i) Instruction in a safe, supportive environment, including access to  
42 an indoor space during times of extreme weather.

1       B. Schools selected to participate in the pilot program shall ensure  
2 that every pupil who is enrolled in grades one through eight, including  
3 pupils in special education unless the pupil's individualized education plan  
4 otherwise provides, participates in physical education. Pupils shall  
5 participate in physical education for at least ninety minutes during each  
6 school week in fiscal year 2006-2007 and for at least one hundred twenty  
7 minutes during each school week beginning in fiscal year 2007-2008. The  
8 physical education required in this section may consist of a combination of  
9 physical education programs and additional physical activities, including  
10 healthy schools programs that are integrated into existing curricula.

11      C. Each school that participates in the pilot program and that is  
12 located in a school district with a student count that exceeds six hundred  
13 students shall designate an employee to act as the physical education liaison  
14 between the department of education and the school district for the reporting  
15 and monitoring of physical education programs. Each school that participates  
16 in the pilot program and that is located in a school district with a student  
17 count that does not exceed six hundred pupils shall designate an employee to  
18 act as the physical education liaison between the department of education and  
19 the school district for the reporting and monitoring of physical education  
20 programs. Physical education teachers in schools that participate in the  
21 pilot program shall be licensed as secondary teachers with a K-12 endorsement  
22 in physical education and shall be paid on the same scale as other teachers.

23      D. In cooperation with the department of health services, the  
24 department of education shall submit a report on or before December 15, 2008  
25 to the governor, the president of the senate and the speaker of the house of  
26 representatives that summarizes the effectiveness and costs to the schools of  
27 the physical education pilot program required by this section, as measured by  
28 standards adopted by a national association for sports and physical education  
29 selected by the department of education. The department of education shall  
30 provide a copy of this report to the secretary of state and the director of  
31 the Arizona state library, archives and public records.

32      E. A pupil in a school that participates in the pilot program may be  
33 excused from physical education if a physician who is licensed pursuant to  
34 title 32, chapter 13 or 17, Arizona Revised Statutes, states in writing that  
35 physical activity would be inappropriate or harmful for that pupil.

36      F. Charter schools are eligible for participation in the pilot  
37 program.

38      Sec. 2. Appropriation; department of education; exemption

39      A. The sum of \$5,000,000 is appropriated from the state general fund  
40 in fiscal year 2006-2007 to the department of education for grants to be  
41 distributed to schools that are selected to participate in the physical  
42 education pilot program established by this act.

1       B. Of the monies appropriated pursuant to subsection A of this  
2 section, the department of education may use up to \$100,000 to provide  
3 technical assistance to schools that request assistance with applications for  
4 the grants distributed pursuant to this act.

5       C. The appropriation made in subsection A of this section is exempt  
6 from the provisions of section 35-190, Arizona Revised Statutes, relating to  
7 lapsing of appropriations.

8           Sec. 3. Delayed repeal

9       This act is repealed from and after December 31, 2008.